

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 02-1355

In re: Robert P. Ciralsky,

Debtor.

Robert P. Ciralsky,

Appellant,

v.

Companion Mortgage Corporation;
John V. LaBarge, Jr.,

Appellees.

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Appeal from the United States
Bankruptcy Appellate Panel
for the Eighth Circuit.

[UNPUBLISHED]

Submitted: December 20, 2002

Filed: December 26, 2002

Before LOKEN, BYE, and RILEY, Circuit Judges.

PER CURIAM.

Debtor Robert Ciralsky appeals the Bankruptcy Appellate Panel's (BAP's) orders (1) affirming the bankruptcy court's¹ orders granting creditor Companion Mortgage Corporation relief from the automatic stay, and denying reconsideration; and (2) denying reconsideration of the BAP's affirming order. Ciralsky is seeking return of property that was sold at a pre-bankruptcy foreclosure sale. Ciralsky did not exercise his state-law redemption rights. The bankruptcy court dismissed the Chapter 13 proceeding after interlocutory lift-stay orders were issued over Ciralsky's objection. Ciralsky did not appeal the Chapter 13 dismissal. We agree with the BAP that the appeal is moot. See In re Rodriguez, 258 F.3d 757, 759 (8th Cir. 2001) (per curiam); In re Onouli-Kona Land Co., 846 F.2d 1170, 1172-73 (9th Cir. 1988); Mo. Rev. Stat. §§ 443.410, 443.420 (2000).

Accordingly, we affirm. See 8th Cir. R. 47B. We also deny Ciralsky's motion "to Compel Compromise Settlement."

A true copy.

Attest:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.

¹The Honorable Barry S. Schermer, United States Bankruptcy Judge for the Eastern District of Missouri.